

ORDINANCE 2016-001

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; ADOPTING BY REFERENCE TEXT AMENDMENTS TO CHAPTER 151, THE DEVELOPMENT CODE, OF THE CODE OF ORDINANCES FOR THE CITY OF SIERRA VISTA, ARIZONA, BY AMENDING SECTION 151.22.029, FH, FLOOD HAZARD; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND AUTHORIZING AND DIRECTING THE CITY MANAGER, CITY CLERK, CITY ATTORNEY, OR THEIR DULY AUTHORIZED OFFICES AND AGENTS TO CARRY OUT THE PURPOSES AND INTENT OF THIS ORDINANCE; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Sierra Vista has previously adopted a development code; and

WHEREAS, periodic updates and clarifications are necessary for successful implementation of a development code; and

WHEREAS, the provisions of A.R.S. 9-462.04 and Chapter 151, Development Code, of the City Code of Ordinances, allow text amendments to be granted by the City; and

WHEREAS, in accordance with the provisions of Article 151.31 of the Development Code and established policy, the City of Sierra Vista has proposed text amendments to Chapter 151, the Development Code, of the Code of Ordinances for the City of Sierra Vista, Arizona, by amending Section 151.22.029, FH, Flood Hazard;

WHEREAS, on November 17, 2015, the Planning and Zoning Commission unanimously approved Resolution 1131 recommending approval of the proposed text amendments pursuant to Article 151.31 of the Development Code;

WHEREAS, as required by Arizona Revised Statute § 9-802, the proposed text amendments were declared a public hearing as Resolution 2015-109 and a thirty-day public record period was declared; and

WHEREAS, as required by Arizona Revised Statute § 9-802, three copies of the proposed text amendments were filed with the City Clerk and kept available for public use and inspection during the public record period.

WHEREAS, the City of Sierra Vista has until February 3, 2016, to adopt and have the Department of Homeland Security's Federal Emergency Management Agency (FEMA) Regional Office approve floodplain management measures that satisfy 44 Code of Federal Regulations (CFR) Section 60.3(d) of the National Flood Insurance Program (NFIP) regulations to avoid suspension from the NFIP;

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA AS FOLLOWS:

SECTION 1

That the provisions of Resolution 2015-109, which have heretofore been declared a public record pursuant to the provisions of Section 9-802 of Arizona Revised Statutes, are hereby referred to, adopted, and made a part hereof as if set forth fully herein.

SECTION 2

All other ordinances or parts of ordinances in conflict with this ordinance, to the extent of such conflict and no further, are hereby repealed. Should any section, clause or provision of this Ordinance be declared by the courts to be invalid, such invalidity shall not affect other provisions, which can be given effect without the invalid provision, and to this end, the provisions of this Ordinance are declared to be severable.

SECTION 3

That the City Manager, City Clerk, City Attorney, or their duly authorized officers and agents are hereby authorized and directed to take all steps necessary to carry out the purposes and intent of this Ordinance.

SECTION 4

That the immediate operation of the provisions of this Ordinance is necessary for the preservation of public peace, health and safety, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage.

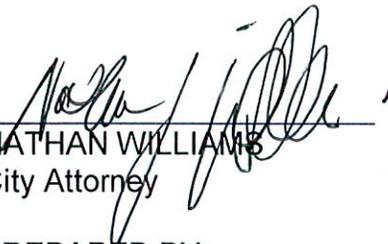
PASSED AND APPROVED BY THE MAYOR AND CITY COUNCIL OF
THE CITY OF SIERRA VISTA, ARIZONA THIS 28TH DAY OF JANUARY, 2016



FREDERICK W. MUELLER
Mayor

Approval as to Form:

Attest:



NATHAN WILLIAMS
City Attorney



JILL ADAMS
City Clerk

PREPARED BY:
Matt McLachlan, AICP
Community Development Director